

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

14TH FEBRUARY 2007 (6 PM)

PRESENT:

Councillors: P Dyke, Mrs L Edginton, M J Hart, Mrs S M Hayward, Mr R Hobson, J A Shaw, and K J Stokes.

INDEPENDENT MEMBERS:

Mr C J Brighton (Chairman)

OBSERVERS:

Mrs C A Noons.

ES.36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Reverend J Cox and Councillor J C Simmonds.

ES.37 APPOINTMENT OF SUBSTITUTES

No substitutes were appointed.

ES.38 DECLARATION OF INTERESTS

No declarations of interest were made.

ES.39 MINUTES

DECISION:

The minutes of the meeting held on 30th November 2006 be confirmed as a correct record and signed by the Chairman.

ES.40 APPOINTMENT OF NEW INDEPENDENT MEMBER

The Chairman welcomed Mrs C A Noons, prospective Independent Member, to the Committee as an observer.

The Monitoring Officer outlined the background to Mrs Noons' appointment. .Owing to the retirement of Mrs Ann McDowell, the outgoing Chairman of the Committee, an advert for an Independent Member had been placed in the Kidderminster Shuttle. Subsequently Mrs Noons was selected as a suitable candidate. Members noted that her appointment would be referred

to Council for approval on 28th February 2007.

RECOMMENDED TO COUNCIL:

The appointment of Mrs C A Noons as an Independent Member of the Council's Ethics and Standards Committee be agreed.

ES.41 CONSULTATION ON THE REVISED MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS

A report was considered that outlined the background to the new Code of Conduct for Local Authority Members for which the Department for Communities and Local Government had allowed six weeks to send in feedback.

The Monitoring Officer stated that it had been hoped that the Revised Code would pick up all the points that had been raised from the consultation held in 2005. However it was disappointing to note that it appeared to contain even more anomalies and, as a result, there had been an intense debate amongst Monitoring Officers across the country on how to address this.

The Monitoring Officer highlighted some of the major points that were proposed in the Revised Code:

- Monitoring Officers had expressed concern that if the Revised Code were to be adopted before the Local Government and Involvement in Health Bill was enacted, the Code might have to be redrafted as the Bill proposed to extend the Code of Conduct to cover Members' private lives, whereas the Revised Code did not.
- With regard to declarations of interest, the term 'friendship' was recommended to be deleted from the current code and replaced with a new term 'close personal association.' The term 'relative' was also recommended to be deleted in the revised code and replaced with the word 'family.' The Monitoring Officer told Members that these suggested new terms would require further clarification.
- Other suggested changes to the Code were changes in the use of language - e.g. when reference was made to observing requirements of the code of conduct, observe would be changed to 'must observe.'
- The Revised Code included a 'public service interest' which had been included to simplify matters for any Member who had been appointed by the Council to represent them on a public body.

A discussion ensued regarding some of the anomalies that were apparent in the Revised Code. The Monitoring Officer agreed to express the concerns of Members regarding the proposed drafting and the anomalies that had been highlighted.

DECISION:

The Monitoring Officer formally respond to the consultation paper on the proposed new Code of Conduct for Members.

ES.42 VENUE FOR FUTURE MEETINGS

The Monitoring Officer stated that the Council wished to hold meetings in Disability Discrimination Act-friendly rooms and therefore it was proposed that future meetings of the Ethics and Standards Committee be held in the Earl Baldwin Suite, Kidderminster.

DECISION:

All future meetings of the Ethics and Standards Committee be held in the Earl Baldwin Suite, Duke House, Kidderminster.

ES.43 EXCLUSION OF THE PRESS AND PUBLIC

DECISION:

Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of “Exempt Information” as defined in paragraph 1 of Part I of Schedule 12A of the Act.

ES.44 SUMMARY OF MINUTES

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as “exempt information” would be disclosed if the minutes were published in full.

ES.45 MINUTES

The exempt minutes of the meeting held on 30th November 2006 were confirmed as a correct record and were signed by the Chairman.

The meeting ended at 6.20 pm.